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DATE: November 16, 2007

PTO IDENTIFIER: Application Number 08/819,669-Conf. #1995
Patent Number

Inventor: Thierry Boon-Falleur et al.

MESSAGE TO: US Patent and Trademark Office
Examiner Philip Gambel
Supervisory Christina Chan
Director John Leguyander

FAX NUMBER: (571) 273-8300 & (571) 273-0844 & (571) 273-0841

FROM: FULBRIGHT & JAWORSKI L.L.P.
Norman D. Hanson

PHONE: (212) 318-3168

Attorney Dkt. #: NY-LUD 5253-US5-DIV (09885911)

PAGES (Including Cover Sheet): 4

CONTENTS: Request That Advisory Action Be Vacated And An Office Action Be Sent (2 pages)
Certificate of Transmission (1 page)

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PTO/SB/97 (09-04)

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Application No. (if known): 09/819,669

Attorney Docket No.: NY-LUD 5253-US5-DIV

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on November 16, 2007
Date



Signature

Fani Malikouzakis

Typed or printed name of person signing Certificate

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Request That Advisory Action Be Vacated And An Office Action Be Sent
(2 pages)

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CENTRAL FAX CENTER****NOV 16 2007**Docket No.: NY-LUD 5253-US5-DIV
(PATENT)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, AND Examiner Philip Gambel at facsimile no. (571) 273-0844 AND Supervisory Examiner Christina Chan at facsimile no. (571) 273-0841 AND Director John Leguyader at facsimile no. (571) 273-8300, on the date shown below.

Dated: November 16, 2007

Signature: 

(Fani Malikouzakis)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Thierry Boon-Falleur et al.

Application No.: 08/819,669

Confirmation No.: 1995

Filed: March 17, 1997

Art Unit: 1644

For: TUMOR REJECTION, ANTIGEN
PRECURSORS, TUMOR REJECTION
ANTIGEN S AND USES THEREOF

Examiner: P. Gambel

**REQUEST THAT ADVISORY ACTION BE VACATED AND AN OFFICE
ACTION BE SENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Communication of October 23, 2007, was an Advisory Action. It is believed that this is improper, and an Office Action should have issued.

The prior action in the case was a non-final rejection. Applicants filed a Notice of Appeal, as a matter of right, because the USPTO delayed in resolving the correction of inventorship issue.

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Application No.: 08/819,669

Docket No.: NY-LUD 5253-US5-DIV

Advisory actions are issued following a response to a FINAL rejection. See MPEP 706.07(f), and 714.13. There was no pending final rejection in this case, so the Advisory Action was improper.

It is requested that the Advisory Action be vacated promptly and that a proper Office Action issue.

* * *

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0624, under Order No. NY-LUD 5253-US5-DIV (09885911) from which the undersigned is authorized to draw.

Dated: November 16, 2007

Respectfully submitted,

By 

Norman D. Hanson

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